

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 473

By: Senator J. Bryant
By: Representative G. Hodges

For An Act To Be Entitled

AN ACT TO PROHIBIT PUBLIC EMPLOYERS FROM DEDUCTING DUES, FEES, OR CONTRIBUTIONS FROM PAYMENTS TO PUBLIC SCHOOL EMPLOYEES AND RETIREES ON BEHALF OF A PROFESSIONAL OR LABOR ORGANIZATION OR POLITICAL FUND; TO REQUIRE APPLICATIONS FOR LABOR ORGANIZATION MEMBERSHIP TO CONTAIN A NOTICE OF PUBLIC SCHOOL EMPLOYEES' RIGHTS TO JOIN OR REFRAIN FROM JOINING A LABOR ORGANIZATION; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING PUBLIC SCHOOL EMPLOYEE
PROFESSIONAL OR LABOR ORGANIZATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-17-202 is amended to read as follows:

6-17-202. Right to join professional organization.

(a) School district boards of directors or their representatives shall not take or threaten actions that interfere with, restrain, or coerce a teacher in the exercise of the teacher's right to join a professional organization.

(b) However, nothing in this section shall be construed as requiring a school district board of directors or representatives of a school district board of directors to deduct or collect dues, fees, or contributions from the pay of a teacher on behalf of a professional organization.



SECTION 2. Arkansas Code § 6-17-805 is amended to read as follows:

6-17-805. Deduction for professional membership dues prohibited -
Definitions.

~~(a) Upon the written request of any teacher or classified employee, the board of directors of any school district of the state shall deduct from the salary of that teacher or classified employee such sums as the teacher or classified employee shall specify for the payment of membership dues in any bona fide teacher's or employee's educational professional organization designated by the teacher or classified employee in the request.~~

~~(b) The teacher or classified employee may request a lump sum deduction or have the sum to be deducted spread over the school year.~~

~~(c) The board of directors, or its authorized representative, shall transmit the sum deducted to the organizations designated by the teacher or classified employee in the request.~~

~~(d) All requests shall bear the manual signature of the teacher or classified employee.~~

~~(e) The request shall be filed with the contract of the teacher or classified employee and shall be subject to audit by Arkansas Legislative Audit~~ A school district board of directors or representatives of a school district board of directors shall not deduct dues, fees, or contributions from the pay of a teacher or classified employee on behalf of any professional or labor organization or political fund.

~~(f)~~(b) As used in this section:

(1) "Classified employee" means any person employed by a school district under a written annual contract who is not required to have a teaching license issued by the Division of Elementary and Secondary Education as a condition of employment; ~~and~~

(2) "Labor organization" means an organization of any kind:

(A) In which a teacher or classified employee may participate; and

(B) That exists for the purpose, in whole or in part, of dealing with public school employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; and

(3) "Teacher" means any person holding a license issued by the State of Arkansas and employed by a school district in a teaching, instructional, supervisory, administrative, or educational and scientific

capacity.

SECTION 3. Arkansas Code § 6-17-908(a), concerning the items that may be paid from the teacher's salary fund, is amended to read as follows:

(a) Only warrants or checks in payment of the following shall be paid from the teachers' salary fund:

- (1) Salaries of teachers;
- (2) ~~Dues of teachers to professional organizations;~~
- ~~(3) Teachers' contributions to the Arkansas Teacher Retirement System; and~~
- ~~(4)(A)(3)(A)~~ Insurance or other fringe benefits for teachers.

(B) However, insurance or other fringe benefits must be approved by a majority of the teachers in the school district voting in a secret election.

SECTION 4. Arkansas Code § 19-4-1602(a)(18), concerning permissible deductions from the payrolls of state employees, both regular and extra help, is repealed.

~~(18) American Association of University Professors dues, when requested in writing by those employees;~~

SECTION 5. Arkansas Code § 24-7-206 is repealed.

~~24-7-206. Withholding association membership dues.~~

~~(a)(1) Upon receipt of a written request signed by a retiree who is receiving an annuity from the Arkansas Teacher Retirement System, the retirement system shall withhold membership dues of the Arkansas Education Association—Retired, the National Education Association—Retired, and the Arkansas Retired Teachers' Association from the monthly annuity checks of the retiree.~~

~~(2) The withholding request authorized by this section shall be on forms provided to retirees by the system.~~

~~(b) After a withholding request is received by the system and after withholding of a retiree's dues is started under the provisions of subsection (a) of this section, it shall be discontinued only upon receipt of a written notice of cancellation signed by the retiree.~~

~~(c) The system shall transmit all dues which are withheld under the~~

~~provisions of this section to the Arkansas Education Association—Retired, the National Education Association—Retired, and the Arkansas Retired Teachers' Association after each monthly payroll is made to retirees.~~

APPROVED: 4/12/23